

Vidya Amin

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO. 27 OF 2017

Mirabai Ravindra Jadhav	...	Applicant
Vs.		
The State of Maharashtra	...	Respondent

Mr. Mahendra N. Sandhyanshiv, Advocate for the applicant.

Mr. S.H. Yadav, APP for the State.

Mr. Gorakh Garde, A.S.I., Jaykheda Police Station present.

CORAM: **MRS.MRIDULA BHATKAR, J.**

DATE: **9th January, 2017.**

P.C.:

This Application is made by the applicant/accused for bail, as she is prosecuted for committing murder of her husband Ravindra Jadhav. The offence was registered at the instance of Rajendra Jadhav, who is the real brother of deceased Ravindra Jadhav.

2. It is the case of the prosecution that her husband was drunkard. On 12th April, 2016 at around 11.30 p.m., the applicant/accused along with her sons Yogesh and Chetan arrived at the house of the complainant Rajendra Jadhav on motorcycle and the applicant/accused informed that she had quarrel with her husband Ravindra Jadhav, as he was drunk. On the next day, i.e., 13th April, 2016 in the morning applicant/accused along with her children went home, however, she telephonically called the complainant and when he reached there, he found that his brother was dead. One end of the rope was tied to his neck and other end of the rope was tied to the

roof and there were multiple injuries on his body, so he gave complaint to the police, pursuant to which the offence was registered at C.R. No. 39 of 2016 with Jaykheda Police Station punishable under sections 302, 201 r/w. 34 of the Indian Penal Code against the applicant/accused Mirabai, Yogesh and Rajendra Jadhav. The applicant/accused was taken in custody on 14th April, 2016. Hence this Bail Application.

3. The learned counsel for the applicant/accused has submitted that the applicant/accused is a lady and there was a quarrel between the deceased and applicant/accused and son Yogesh, as the deceased had liquor. He submitted that the applicant has two children who are also to be looked after and hence he prays for bail.

4. Learned APP opposed the Bail Application. He relied on the complaint and the statement of other witnesses. He argued that it is a case of murder against the applicant/accused, hence the Bail Application be rejected.

5. Perused the complaint, postmortem report and also the statements of other witnesses. The postmortem report reveals multiple injuries on the body of the deceased. However, I consider the submissions of learned counsel for the applicant/accused. The applicant/accused is a woman having two children, out of which one is minor, i.e., around 12 to 13 years

old who has nobody to take care and therefore, the applicant/accused is released on bail on the following terms and conditions:

ORDER

- (i) Application is allowed.
- (ii) The applicant/accused be enlarged on bail on furnishing P.R. Bond in a sum of Rs.40,000/- with one or two sureties in the like amount;
- (iii) The applicant shall not pressurize the witnesses and shall not jump the bail.
- (iv) The applicant shall attend all the Court dates.
- (v) The applicant shall not abscond or leave India without prior permission of the Court and furnish her permanent address to the Investigating Officer alongwith documentary proof of her address;
- (vi) In the event of breach of any of the above conditions, the prosecution will be at liberty to move the Court for cancellation of bail.

6. The Application for bail stands disposed of on above terms.

(MRIDULA BHATKAR, J.)